IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.
COMPANY PETITION NO.50 OF 2007
CONNECTED WITH
COMPANY APPLICATION NO.24 OF 2007

In the matter of a Scheme of Amalgamation of N.M. Packaging Pvt. Ltd. (Transferor Company) with Jeevandeep Prakashan Pvt. Ltd. (Transferee Company)

N.M. Packaging Pvt. Ltd. ..Petitioner.

WITH
COMPANY PETITION NO.51 OF 2007
CONNECTED WITH
COMPANY APPLICATION NO.23 OF 2007

In the matter of a Scheme of Amalgamation of N.M. Packaging Pvt. Ltd. (Transferor Company) with Jeevandeep Prakashan Pvt. Ltd. (Transferee Company)

Jeevandeep Prakashan Pvt. Ltd. ..Petitioner.

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Mr. DevanshP. Desai for the Petitioner.
Mr. C.J. Joy for the Regional Director.
Mr. Ramakantha, Dy. Official Liquidator present.

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CORAM: **DR. D.Y. CHANDRACHUD, J.**

16th April, 2007.

P.C. :

1. The sanction of the Court is sought under the provisions of Sections 391 to 394 of the Companies Act, 1956 to a scheme of

amalgamation. The transferor is the Petitioner before the Court in Company Petition 50 of 2007, while the transferee is the Petitioner before the Court in Company Petition 51 of 2007. The transferor is a wholly owned subsidiary of the transferee.

2. The Court has been informed by Counsel appearing for the Petitioner that the transferor, being a wholly owned subsidiary of the transferee, all the shareholders have granted their consents. There are no secured creditors and the unsecured creditors have consented to the scheme.

3. Insofar as the transferee is concerned, the learned counsel has stated that all the shareholders have indicated their consent; that there are only two secured creditors who have indicated their consent and that insofar as the unsecured creditors are concerned, they have either indicated their consent or have been furnished individual notices.

4. The Regional Director has stated before the Court through

counsel that all the requisitions served on the company have been complied with and that there is no objection to the scheme of amalgamation. In the circumstances, there is no reason why the scheme as proposed should not be sanctioned. The Petitions are accordingly made absolutely in terms of prayer clauses (a) to (f).

5. The Petitioner to pay costs of Rs.2,500/- each to the Regional Director and the Official Liquidator within four weeks.

6. Filing and issuance of drawn up order is dispensed with.

All authorities concerned to act on an authenticated copy of this order issued by the office of this Court.